

Atty Dkt. No.: CLON-094  
USSN: 10/806,930

### **AMENDMENTS**

#### **In the claims:**

Please enter the following amendments:

1. **(Currently Amended)** A nucleic acid encoding a polypeptide product comprising a first chromo/fluorescent domain linked by a linking domain to a second chromo/fluorescent domain, wherein said ~~first and second chromo/fluorescent domains oligomerize under intracellular conditions so that said encoded polypeptide assumes a linked oligomeric tertiary structure~~ **nucleic acid has a sequence identity of at least about 95% with SEQ ID NO: 05.**
2. **(Original)** The nucleic acid according to Claim 1, wherein said first and second chromo/fluorescent domains are oligomeric producing domains.
3. **(Previously Presented)** The nucleic acid according to Claim 2, wherein said first and second chromo/fluorescent domains are chromo-or fluorescent proteins from a *Cnidarian* species.
4. **(Previously Presented)** The nucleic acid according to Claim 3, wherein said *Cnidarian* species is a non-bioluminescent *Cnidarian* species.
5. **(Previously Presented)** The nucleic acid according to Claim 4, wherein said non-bioluminescent *Cnidarian* species is an *Anthozoan* species.
6. **(Original)** The nucleic acid according to Claim 1, wherein said nucleic acid encodes a fusion protein of said first and second chromo/fluorescent domains fused to a non-chromo/fluorescent protein domain.

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7. **(Original)** A construct comprising a vector and a nucleic acid according to Claim 1.
8. **(Original)** An expression cassette comprising:
- (a) a transcriptional initiation region functional in an expression host;
  - (b) a nucleic acid according to Claim 1; and
  - (c) a transcriptional termination region functional in said expression host.
9. **(Original)** A cell, or the progeny thereof, comprising an expression cassette according to Claim 8 as part of an extrachromosomal element or integrated into the genome of a host cell as a result of introduction of said expression cassette into said host cell.
10. **(Original)** A method of producing a polypeptide product comprising a first and second chromo/fluorescent domain, said method comprising:  
growing a cell according to Claim 9, whereby said polypeptide product is expressed.
- Claims 11-16. **(Canceled)**
17. **(Original)** A kit comprising a nucleic acid according to Claim 1.
18. **(Currently Amended)** A nucleic acid encoding a polypeptide product comprising a first and second Cnidarian chromo/fluorescent domain, wherein said first and second chromo/fluorescent domains are linked by a linking domain and are ~~oligomeric-producing domains that associate with each other under intracellular conditions so that said encoded polypeptide assumes a linked oligomeric tertiary structure~~ **wherein said nucleic acid has a sequence identity of at least about 95% with SEQ ID NO:05.**
19. **(Canceled)**

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20. **(Currently Amended)** The nucleic acid according to Claim ~~[[19]]~~ **18**, wherein said *Cnidarian* species is a non-bioluminescent *Cnidarian* species.
21. **(Previously Presented)** The nucleic acid according to Claim 20, wherein said non-bioluminescent *Cnidarian* species is an *Anthozoan* species.
22. **(Previously Presented)** The nucleic acid according to Claim 18, wherein said nucleic acid encodes a fusion protein of said first and second chromo/fluorescent domains fused to a non-chromo/fluorescent protein domain.
23. **(Previously Presented)** A construct comprising a vector and a nucleic acid according to Claim 18.
24. **(Previously Presented)** An expression cassette comprising:  
(a) a transcriptional initiation region functional in an expression host;  
(b) a nucleic acid according to Claim 18; and  
(c) a transcriptional termination region functional in said expression host.
25. **(Previously Presented)** A cell, or the progeny thereof, comprising an expression cassette according to Claim 24 as part of an extrachromosomal element or integrated into the genome of a host cell as a result of introduction of said expression cassette into said host cell.
26. **(Previously Presented)** A method of producing a polypeptide product comprising a first and second chromo/fluorescent domain, said method comprising:  
growing a cell according to Claim 25, whereby said polypeptide product is expressed.
27. **(Previously Presented)** The nucleic acid according to Claim 1, wherein said linking domain is from about 1 to about 15 residues in length.

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28. **(Previously Presented)** The nucleic acid according to Claim 1, wherein said linking domain is from about 1 to about 5 residues in length.
29. **(Previously Presented)** The nucleic acid according to Claim 18, wherein said linking domain is from about 1 to about 15 residues in length.
30. **(Previously Presented)** The nucleic acid according to Claim 18, wherein said linking domain is from about 1 to about 5 residues in length.